



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marton and Czako

Application No.: 10/068,584

Group No.: 1638

Filed: February 5, 2002

Examiner: Unknown

For: Sustained Totipotent Culture of
Selected Monocot Genera

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT UNDER 37 U.S.C. §1.115

This Preliminary Amendment is filed pursuant to 37 U.S.C. §1.115, and is deemed to be timely on account of being filed prior to the date of mailing of the first Office Action in the case. This Amendment amends the specification to provide that the figure numbers recited in the specification correspond with the numbers of the drawings as originally filed. It is respectfully requested that the amendments that are requested below be entered into the case, and that the case proceed to examination and allowance of the claims.

IN THE SPECIFICATION:

On page 6, delete lines 6 - 14, and replace with:

--- Figure 1 shows the development of herbicide resistant embryogenic tissue on explants cocultivated with *Agrobacterium tumefaciens* (Figure 1C), which can be contrasted with control explants (which were not contacted with *A. tumefaciens*) that